

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STACEY STRAUSS	:	CIVIL ACTION
	:	
v.	:	
	:	
JOSEPH WALSH	:	NO. 02-4383

O R D E R

AND NOW, this day of December, 2002, as the factual allegations and claims asserted against defendant Walsh in the above action are identical to those set forth as to defendant Walsh in the case of Stacey Strauss v. Joseph Walsh, Frank Barkley, City of Philadelphia and Philadelphia Police Department at Civil Action No. 01-3625, except that plaintiff alleges in the above action that defendant Walsh acted outside the scope of his employment with the City of Philadelphia while alleging alternatively in the earlier action that he both acted within and outside the scope of his employment; as discovery has been completed and summary judgment motions are pending in the earlier action; as the resolution of any issue or claim in that case would have preclusive effect in the above case and vice versa; and, as it would be pointless and inappropriate not to resolve the two cases in tandem, pursuant to Fed. R. Civ. P. 42(a), **IT IS HEREBY ORDERED** that the above action is consolidated for disposition with Stacey Strauss v. Joseph Walsh, et al. at Civil Action No. 01-3625.

BY THE COURT:

JAY C. WALDMAN, J.